

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re. MICHAEL JACQUES JACOBS,

bankr. no. 19-12591

Debtor.

NOTICE OF DEADLINE FOR FILING PROOFS OF CLAIM AND INTERESTS

1. **General Claims Bar Date.** If you assert a claim against or interest in the Debtor, to preserve your right to be treated as a creditor or interest holder with respect to such claim or interest, for the purposes of voting and distribution, you must file a Proof of Claim by **July 21, 2020** (the "General Bar Date") in the following circumstances:

- (i) If your claim or interest has not been listed in the Debtor's bankruptcy schedules ("Schedules");
- (ii) If you disagree with the amount of the claim or interest set forth in the Schedules;
- (iii) If the Debtor scheduled your claim as disputed, contingent, and/or unliquidated;
- (iv) To preserve an unsecured deficiency claim if such claim is not scheduled or is scheduled as disputed, contingent, and/or unliquidated;
- (v) If you believe your claim is entitled to priority under the Bankruptcy Code, and the Debtor did not so schedule your claim.

Any Proof of Claim or Interest timely filed by a creditor or interest holder will supersede any scheduled claim or interest. If your claim is scheduled as disputed, contingent, and/or unliquidated, the Debtor is required to so notify you.

2. **Bar Date for Interests. [If applicable]:** If you are an equity security holder of the Debtor, such as a stockholder, to preserve your right to be treated as an equity security holder with respect to such interest you must file a Proof of Interest by the General Bar Date.

3. Bar Date for Governmental Units. If you are a governmental unit, the last day for filing proofs of claim is the later of i) the General Claims Bar Date; or (ii) 180 days after the date of the order of relief.

4. Claims Filed After Amended Schedules Are Filed. If the Debtor amends the Schedules and the amendment reduces the liquidated amount of a scheduled claim or reclassifies a scheduled undisputed, liquidated, and non-contingent claim to a disputed, unliquidated, and/or contingent claim, then the claimant affected by such amendment shall be permitted to file proof of such claim only on or before the later of (i) the General Bar Date and (ii) 30 days after the mailing of notice of such amendment to such claimant with a copy of this Notice, but only to the extent such proof of claim, if filed after the General Bar Date, does not exceed the amount scheduled for such claim prior to such amendment. This extended claims bar date does not apply if an amendment to the Schedules increases the claim deemed filed under 11 U.S.C. §1111(a) or if the creditor previously filed a proof of claim before the General Bar Date.

5. Claims Arising from Rejection of a Contract or Lease or Avoidance of a Transfer. The last day for filing proofs of claim arising from the rejection of an executory contract or unexpired lease, and/or the recovery of a voidable transfer, pursuant to Bankruptcy Code Sections 502(g) and 502(h) respectively, is the later of (i) the General Bar Date; or (ii) 30 days after the mailing to the claimant of notice of entry of an order approving the rejection of such executory contract or unexpired lease, or the avoidance of such transfer, with a copy of this Notice.

6. Consequences of Failing to File a Proof of Claim or Interest Timely. If you are required but fail to file a Proof of Claim or Interest timely, and your claim or interest is not scheduled, is scheduled for \$0.00, or is scheduled as disputed, contingent or unliquidated in the Schedules, with very limited exceptions: (a) your claim or interest will be barred, and you will not participate in the Debtor's estate or receive any distribution under any plan or plans of reorganization filed in this chapter 11 case; (b) you shall be forever barred from voting with respect to any such plan or plans of reorganization; and (c) you shall be bound by the terms of any such plan or plans of reorganization, if confirmed by the Court.

7. Responsibility to Review the Schedules. You are responsible for determining that your claim or interest, including its amount, is accurately scheduled by the Debtor. This determination may be made by: (a) reviewing the Schedules online using a CM/ECF or PACER account; (b) reviewing the Schedules in the Office of the Clerk, Pete V. Domenici U.S. Courthouse, 333 Lomas Boulevard NW, Suite 360,

Albuquerque, New Mexico, between 8:30 am and 4:30 pm, or (c) by contacting the Debtor's attorney: *[insert name, address, and telephone number of the attorney]*.

8. Previously Filed Claims. Creditors who have already filed proofs of claims or interests need not file them again.

9. Proof of Claim Form. A proof of claim form is enclosed with this notice. A proof of claim can also be submitted directly from the Court's website through the Electronic Proof of Claim (ePOC) program. See www.nmb.uscourts.gov/claims-e-filing. A login and password are **not** required, and no claim form is needed to submit an original or amended proof of claim through ePOC.

/s/ electronically signed
James Clay Hume, JD
Attorney for Debtor
HUME LAW FIRM
PO Box 10627
Alameda, NM 87184
(505) 888-3606
james@hume-law-firm.com

The undersigned certifies that on June 5, 2020, a copy of this Notice was served by United States first class mail on all parties on the official mailing list maintained by the Clerk of the Bankruptcy Court for this case, all at their addresses on such mailing list. A copy of the mailing list used for such service is attached to the copy of this Notice filed of record.

/s/ electronically signed
James Clay Hume, JD

Fill in this information to identify the case:

Debtor 1 _____
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: _____ District of _____
Case number _____

Official Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Name of the current creditor (the person or entity to be paid for this claim) _____
Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

☐ No
☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Name _____
Number _____ Street _____
City _____ State _____ ZIP Code _____
Contact phone _____
Contact email _____

Where should payments to the creditor be sent? (if different)

Name _____
Number _____ Street _____
City _____ State _____ ZIP Code _____
Contact phone _____
Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

☐ No
☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☐ No
☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☐ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$_____ Does this amount include interest or other charges?
☐ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

9. Is all or part of the claim secured? ☐ No
☐ Yes. The claim is secured by a lien on property.

Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$_____
Amount of the claim that is secured: \$_____
Amount of the claim that is unsecured: \$_____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$_____

Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☐ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$_____

11. Is this claim subject to a right of setoff? ☐ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☐ No

☐ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name _____
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
Number Street

City State ZIP Code

Contact phone _____ Email _____

Label Matrix for local noticing
1084-1
Case 19-12591-j11
District of New Mexico
Albuquerque
Fri Jun 5 17:00:19 MDT 2020

Capital Bank
Attn: Bankruptcy
1 Church St. #300
Rockville, MD 20850-4190

Capital One Auto Finance, a division of Capi
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Crooked River Ranch HOA
5195 SW Clubhouse Road
Terrebonne, OR 97760-8020

Ditech Financial
PO Box 15008
Tempe, AZ 85284-0109

Hume Law Firm
PO Box 10627
Alameda, NM 87184-0627

Ruby Jacobs
800 Calle Divina, NE
Albuquerque, NM 87113-1281

New Mexico Taxation & Revenue
PO Box 8575
Albuquerque, NM 87198-8575

Selene Finance
PO Box 422039
Houston, TX 77242-4239

Total Visa/Bank of Missouri
Attn: Bankruptcy
PO Box 85719
Sioux Falls, SD 57118-5710

ACAR Leasing LTD
dba GM Financing Leasing
PO Box 183853
Arlington, TX 76096-3853

Capital One Auto Finance
4515 N Santa Fe Avenue
Dept. APS
Oklahoma City, OK 73118-7901

Clerk of the Court
US District Court for the S.D.N.Y.
New York, NY 10007

DLJ Mortgage Capital Inc.
Selene Finance, LP Attn: BK Dept.
9990 Richmond Ave. Suite 400
South Houston, TX 77042-4546

First PREMIER Bank
Attn: Bankruptcy
PO Box 5524
Sioux Falls, SD 57117-5524

IRS
PO Box 7346
Philadelphia, PA 19101-7346

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

RAS Crane, LLC
Bankruptcy Department
10700 Abbott's Bridge Road, Ste. 170
Duluth, GA 30097-8461

Shellpoint Mortgage Servicing
PO Box 10826
Greenville, SC 29603-0826

USAA
9800 Fredericksburg Road
San Antonio, TX 78288-0002

AmeriCredit/GM Financial
Attn: Bankruptcy
PO Box 183853
Arlington, TX 76096-3853

Capital One Auto Finance, a division of Capi
PO Box 60511
City Of Industry CA 91716, CA 91716-0511

Crooked River Ranch Club and Maintenance Ass
Harker Lepore
915 NW 19th Ave. Suite H
Portland, OR 97209-1474

Department of Veterans Affairs
PO Box 42954
Philadelphia, PA 19101-2954

James Clay Hume
Hume Law Firm
PO Box 10627
Alameda, NM 87184-0627

Michael Jacques Jacobs
800 Calle Divina, NE
Albuquerque, NM 87113-1281

NM Taxation & Revenue
PO Box 8575
Albuquerque, NM 87198-8575

Securities & Exchange Commission
Attn: Reorganization
1961 Stout St., Suite 1700
Denver, CO 80294-1700

Shellpoint Mortgage Servicing
PO Box 740039
Cincinnati, OH 45274-0039

USAA
PO Box 659464
San Antonio, TX 78265-9464

~~United States Trustee
PO Box 608
Albuquerque, NM 87103-0608~~ *can BCF*

~~Vista del Norte HOA
PO Box 6270
Albuquerque, NM 87197-6270~~

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)DLJ Mortgage Capital, Inc.

(u)Debtor in Possession

(d)Ruby Jacobs
800 Calle Divina, NE
Albuquerque, NM 87113-1281

End of Label Matrix	
Mailable recipients	31
Bypassed recipients	3
Total	34